

Senate Bill 381 Re-referred

On motion of Senator Van Zandt, S. B. No. 381 was re-referred from the Committee on Highways and Motor Traffic to the Committee on Criminal Jurisprudence.

Report of Standing Committee

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Austin, Texas,
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred

H. B. No. 809, A bill to be entitled "An Act amending Section 3, Chapter 88, General Laws, Second Called Session, Forty-first Legislature, Acts, 1929, as amended by Section 1, Chapter 3, General Laws, Second Called Session, Forty-third Legislature, Acts, 1934, and as amended by Section 1, Chapter 51, General Laws, Regular Session, Forty-fourth Legislature, Acts, 1935, so as to exempt motor vehicles, trailers, and semi-trailers owned and used exclusively in the service of any drainage district from the payment of any license or registration fees to the State of Texas; providing a saving clause; providing for the repeal of all laws and parts of laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROWNLEE, Chairman.

Recess

On motion of Senator Formby, the Senate, at 6:05 o'clock p. m., took recess until 10:00 o'clock a. m. tomorrow.

SIXTY-EIGHTH DAY**Continued**

(Tuesday, May 20, 1941)

The Senate met at 10:00 o'clock a. m. and was called to order by the President.

Report of Select Committee

Senator Formby, by unanimous consent, submitted at this time the following report:

FARM CONDITIONS OF TEXAS

The farm problem of Texas is probably the most important one facing the people at this time. The buying power of Texas farmers has not been up to parity during the past 10 years. So serious is the Texas farm problem that nearly one-half million people moved from farm to town during the period from 1930 to 1940.

A committee composed of Senators L. J. Sulak of La Grange, Marshall Formby of McAdoo, from the Senate; and Representatives Ben Sharpe of Paris, W. H. Rampy of Winters, and Roger Q. Evans of Denison, all from the House of Representatives, held meetings in March and April of 1941, at Hallettsville, Houston, Athens, Temple, Cisco, Lubbock, Harlingen, Waxahachie, and Denison, where they heard reports from farmers and farm leaders, and other leading citizens of Texas pertaining to the farm problems in this State.

These meetings were well attended, and in most instances most of the talking was done by farmers who told their problems and suggested many changes to help their situation.

Farmers in different parts of Texas have different problems, but there are many problems which confront all farmers in this State.

No. 1. The most serious problem in Texas is Soil Erosion. At every meeting, all farmers agreed that soil erosion had done more to destroy the wealth of Texas than any other one thing. In parts of Texas the soil has washed away and the rich top soil of Texas has found its resting place in the Gulf of Mexico. In the western part of the State soil has blown away, but farmers have recognized this danger and in using good conservation methods are succeeding in keeping the soil where nature originally placed it.

The Triple A Farm Program has done much to encourage farmers to conserve their soil and to build up their land for future generations in-

stead of wasting it as has been done in the past.

No. 2. The second problem confronting the Texas farmer is his loss of purchasing power, or the lack of parity on the prices of the products he sells compared with the prices he has to pay when he buys.

It is hard for a farmer to take 8c cotton and buy a \$900.00 car, made by \$10.00 to \$15.00 per day labor, and it is hard for him to maintain the high standard of living to which his family is entitled with 8c cotton; 55c and 60c wheat; 6c hogs and other low price products which the farmers must sell.

Cotton should be selling for at least 16c, wheat should be at least \$1.00 per bushel, hogs 10c, and other products in proportion to the products that farmers sell. Cattle prices along with sheep prices have been holding up well.

Whatever kind of farm program we have, the parity payment to farmers should be larger in order to keep up his purchasing power.

No. 3. Problem number three is home ownership among farmers. Home ownership among farmers should be encouraged. The best community is the one composed of medium size farms, and of farmers who own their own homes and have settled permanently, or permanent tenants. These kind of people are interested in the community as a whole, in the churches, schools, the playgrounds and parks of that community.

Both the State and Federal Government should provide more ways for deserving farmers to buy a small or medium size farm and pay for it at a rate of interest of slightly more than 2%, over a period of 20 years. The Federal Loan policy is wrong in that it requires that the house and other improvements on the place be worth in some cases as much as the land itself.

We are striving towards that goal for every farm family to have a modern house with running water, electricity, and all other modern improvements, but it is much better to take Government money and enable the farmers to get that first start in getting hold of some land, and let him live in the kind of house he chooses to live in until he is more able to build the proper home. In

this manner there will be more fine farm homes in the long run.

No. 4. The differential freight rates and the high tariff on manufactured goods has caused a low purchasing power among the farmers of Texas.

It is believed that the raising of the truck load limit will be of much benefit in reducing transportation rates in Texas. Much of the farmers' profit on all of his products is taken up by the high cost of transportation in distributing it to where it is needed.

No. 5. It is believed that there must be some sort of farm program to offset the injustice done the farmers by the high tariff. The farmer needs to be paid a subsidy or some sort of parity. The Triple A has been very successful and it is better than a domestic allotment program could be. However, many changes need to be made. Under the program in recent years, the large farmer has been helped too much and the small farmer not enough.

It is suggested that no farmer or rancher receive a Government check for more than \$500.00, unless he receives his pro rata part of land rented to tenants.

In many cases, Texas land owners have bought tractors, have taken the Government checks and hired cheap labor to work their farms, and thus eliminated thousands of tenants. In fact, nearly eighty thousand farm families abandoned the farm between 1930 and 1940. Because of the practicability of the tractor, it has been natural for tractor farming to replace a good many tenants during the past ten years, but it is believed that it was never intended for the Government to cooperate with any large land owner and cause tenants to have to leave the farms.

The benefit payments should be based somewhat upon a family need basis, and certainly a land owner working two farms should not be allowed the same benefit payment on the second farm as he was allowed on the first.

The method of allotment of acres for many crops should also be changed. Each farm family should be allowed to produce so much cotton or so much wheat, or a certain amount of other products, or else the acreage should be based upon the amount of

land farmed up to a point which would amount of decent income for that family.

Many farmers who were already diversifying before the Triple A Program have been unduly punished because their acreage has been cut the same percentage as the farmers who had not been diversifying.

In determining the size farm, the kind of land, the locality, and the kind of crop to be grown must be considered. It will take more acres of wheat land than it does of cotton land for a farmer to make a living. Consequently, it will take more cotton land than it takes of alfalfa land or truck products land for a farmer to make a living, and it will take more acres in some parts of Texas than it does in other parts for a farmer to raise enough cotton to provide a decent standard of living for his family.

Under the present world conditions, it is necessary to have controlled production and a benefit payment for farmers, but it must be worked out to help the average farmer a greater percentage than it does the large farmer, and the Farm Program must be arranged to encourage ownership of average size farms in Texas. The Program must also be adjusted to encourage large farm owners to rent their farms to average tenants instead of taking the benefit checks and hiring cheap labor and working farms themselves with tractors.

No. 6. The teaching of Vocational Agriculture in the high schools and colleges of Texas will be as beneficial to the agricultural industry of this State almost as anything that can be done. It was a great day for the boys of Texas when Vocational Agriculture was substituted for courses which would not help them in later years. Here is where the real farm relief begins.

Students of Vocational Agriculture in high schools and colleges are taught the means of making a better livelihood when they undertake the responsibility of making a living for their family.

Boys who learn how to profitably raise cattle, sheep, hogs, poultry and other livestock, and who learn how to make a profit out of cotton, wheat, or in other farm products, will fare well in days to come.

The teaching of Vocational Agriculture should be encouraged in

Texas. Youngsters taught to make a profit in their early days of farming will still make that profit when they start making a living for their own family.

MARSHALL FORMBY,
State Senator.

W. H. RAMPY,
State Representative.

Report of Standing Committee

Senator Metcalfe, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

H. B. No. 965, A bill to be entitled "An Act making it unlawful for any person not a member of the Texas Defense Guard to wear the shoulder patch, the arm brassard, or the collar ornaments duly prescribed as a part of the uniform of said Defense Guard, or any imitation of said articles; also making it unlawful for any member of said Defense Guard to purchase or have in his possession such articles of uniform, or any imitation thereof, unless they are purchased through or on approval of the Adjutant General of Texas; also making it unlawful for any person to sell, offer for sale, dispose of, or purchase any such articles except when and as authorized under regulations prescribed by the Governor; also providing the punishment for offenses against such provisions; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be mimeographed and not otherwise printed.

METCALFE, Chairman.

House Bill 965 Ordered Mimeographed

On motion of Senator Metcalfe and by unanimous consent, it was ordered that H. B. No. 965 be mimeographed and be not printed.

Senate Resolution 142

Senator Mauritz, by unanimous consent, offered at this time the following resolution:

Whereas, The Honorable Morris Roberts, a former distinguished mem-

ber of this Senate, is present in the Capitol; therefore, be it

Resolved, That he be granted the privileges of the floor for this day.

The resolution was read, and by unanimous consent, it was considered and adopted immediately.

Proposed Amendment to Senate Bill 113

On motion of Senator Sulak and by unanimous consent, the following proposed amendment to S. B. No. 113 was ordered printed in the Journal:

Amend S. B. No. 113 by striking out all below the enacting clause and inserting the following:

"Section 1. For the purpose of conserving and providing an orderly method of disbursing and accounting for local funds of the public schools of Texas, there is hereby established a system governing the issuance, registration and payment of certain school warrants; provided, that this Act shall not repeal, amend or modify in any way Article 2827 of the Revised Statutes of 1925 as amended by Chapter 9, Acts of the Fourth Called Session of the Forty-third Legislature.

(a) On and after September 1st, 1941, all monetary obligations of public school districts payable out of its local maintenance fund shall be paid by warrants drawn upon its treasury and/or depository, which warrants shall be issued and delivered to the persons entitled thereto within thirty days after the maturity of the obligations which said warrants pay. Said warrants shall contain the following provisions and be registered and paid as herein provided;

(b) The warrants shall be dated as of the date of issue and shall be numbered serially, which number shall show the fiscal year of issue followed by the serial number, beginning with number one (1) and running consecutively thereafter to the end of such fiscal year; and shall also show whether it is payable out of the general maintenance fund or out of any special local fund as authorized by the budget and if so, which fund.

(c) All independent school districts not under the supervision of the county superintendent, and the county school superintendent for all schools under his supervision, shall keep a permanent record in which all warrants issued shall be registered in the

order of their issuance and which record shall show the following facts:

1. The serial number of the warrant.
2. The correct date of issue.
3. To whom the warrant is issued.
4. The amount thereof, and the fund out of which the same is payable, as fixed by its current budget.
5. The total amount of such warrants previously issued in the same fiscal year against the same fund.
6. The correct remaining balance in the fund against which the warrant is issued.
7. The warrant shall be addressed to the treasury and/or depository of said school district and duplicate thereof shall be furnished to such treasury and/or depository.
8. The back of each warrant shall also show the information required by the above paragraphs 1 to 6, inclusive.

Section II:

(a) Warrants issued, registered and numbered according to the provisions of Section I shall be paid only in the order of their consecutive registration numbers: Provided, that warrants bearing subsequent numbers shall be paid before those bearing prior numbers if at the time of their presentation for payment sufficient funds are in the depository to pay all warrants bearing prior numbers.

(b) The lawful holder of any registered school warrant as hereinbefore provided for may present it for payment to the depository for the school district by which such warrant was issued; and thereupon such depository shall pay such warrant if it then has in its possession sufficient funds of the issuing school district lawfully applicable to the payment thereof.

(c) If the depository has not sufficient funds on hand to pay such warrant when presented it shall so notate such warrant as follows: 'Presented for payment this date (stating correct date) but not paid for want of sufficient funds.'

Section III:

(a) It shall be unlawful for any public school depository to pay any public school warrant provided for in this Act other than in the manner prescribed in this Act.

(b) On and after the effective date of this Act it shall be unlawful

for any person to purchase or offer to purchase any duly registered school warrant provided for in this Act at a greater discount than amounts to six (6%) per cent per annum from presentation date as notated thereon, to the date of such purchase, or offer to purchase. Any arrangement, agreement or subterfuge whereby it is sought to evade, avoid or circumvent this provision is hereby also declared unlawful, and shall invalidate the warrants so discounted.

Section IV:

It is hereby expressly provided that no part of this Act shall be construed so as to prejudice or delay the orderly payment or provision for orderly payment, by any public school board, of any of the indebtedness of the nature referred to, in any part of the Act which may have been incurred and which exists prior to September 1st, 1941.

Section V:

In event any provisions of this Act shall be in conflict with the provisions of any other Act, the provisions contained in this Act shall prevail. In event any sentence, clause or provision contained in this Act shall be invalid, such partial invalidity shall not affect the other provisions of this Act.

(a) 'Nothing in this Act shall in any wise amend, modify, alter, change, or repeal any part of S. B. No. 402, Acts of the Regular Session of the Thirty-eighth Legislature; nor shall anything in this Act affect or apply to any independent school district in this State having within its boundaries a city of more than three hundred seventy-five thousand (375,000) population according to the last preceding or any future Federal Census.'

Section VI:

The fact that at present no provision for the order in which school warrants shall be paid exists, that the credit of many schools has been impaired because there has been no regard for the payment of such school warrants; that heretofore school districts in some cases have issued warrants far in excess of the amounts budgeted to care for such expenditures, but which fact does not appear to the innocent creditor; that in some cases creditors have been forced to hold the relatively worthless warrants of school districts for a period of many years, without interest, and in some instances

have had their just obligations repudiated, and that the School Districts of Texas, whose credit should rank with the highest in the nation, actually have a notoriously bad credit rating in some instances, creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills be read on three separate days be suspended and that the same is hereby suspended and this Act shall be in full force and effect from and after its effective date, September 1st, 1941, and it is so enacted."

Reports of Standing Committees

Senator Shivers, by unanimous consent, submitted at this time the following reports:

Committee Room,
May 16, 1941,
Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred

H. B. No. 544, A bill to be entitled "An Act authorizing employees of the Texas Forest Service and such additional outside help or assistance they might call on to enter on any privately owned lands for the purpose of investigation and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

Have had the same under consideration and are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,
May 16, 1941,
Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred

H. C. R. No. 52, A Resolution Asking that the Senators and Congressmen from the State of Texas use their influence in Washington to impress upon the National Board of Flood Control the urgent need of dredging of the channel at Waco, Texas.

Have had the same under consideration and are instructed to report

it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,
May 16, 1941,
Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred

S. B. No. 468, A bill to be entitled "An Act to provide for the validating and making effective free and discharged, subsequent to March 30, 1925, from the two dollar per acre annual rental payment of certain oil and mineral leases and renewals thereof, heretofore issued on river beds and channels owned by the State of Texas, under Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, and Chapter 140 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas; and declaring an emergency."

Have had the same under consideration and are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Senator Ramsey, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
May 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1003, A bill to be entitled "An Act amending Article 8221 of the Revised Civil Statutes of Texas of 1925 so as to provide that in any county with not less than one hundred and thirty-five thousand (135,000) population and not more than one hundred and ninety thousand (190,000) population, according to the last Federal Census, the county treasurer, for acting as treasurer of a navigation district, shall receive from such district, as compensation for his services, a salary of Fifty (\$50.00) Dollars per month, and the premium on the official bond of the county treas-

urer shall be paid by the said navigation and canal commissioners; and declaring an emergency."

Have had the same under consideration, and are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senator Moore, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
May 20, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1020, A bill to be entitled "An Act creating a firemen's relief and retirement fund in cities having a population of three hundred and eighty thousand (380,000) or more, according to the preceding or any future Federal Census; creating a board to administer such fund; providing that the mayor and city treasurer or city secretary, together with three (3) members of the fire department to be selected by a vote of the members of such department, shall compose the board; etc.; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Senator Aikin, by unanimous consent, submitted at this time the following report:

May 20, 1941,
Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 930, A bill to be entitled "An Act making certain emergency appropriations for the Adjutant General's Department incident to the support of the Texas Defense Guard; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senator Brownlee, by unanimous consent, submitted at this time the following report:

Austin, Texas,
May 20, 1941.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 1004, A bill to be entitled "An Act providing in all counties having a population of not less than twenty-nine thousand, two hundred and forty (29,240) and not more than twenty-nine thousand, two hundred and fifty (29,250), according to the last preceding or any future United States Federal Census, there shall be imposed upon all male persons who do not reside in an incorporated city, town, or village the duties of working five (5) days of eight (8) hours efficient service on public roads each year, or the payment on or before May 1st of each year the sum of Three Dollars (\$3); providing for the summoning of persons in said counties for work on the public roads, said summons when issued shall compel the persons to be given notice one full day before they are to report after summons for road duty; fixing age bracket for persons to be summoned; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Senate Bill 436 on Second Reading

On motion of Senator Stone and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 436 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 436, A bill to be entitled "An Act to amend Article 3333 of Title 54 of the Revised Civil Statutes of Texas, Revision of 1925 as amended, by providing that the citation therein provided to be issued by the clerk shall be directed to the sheriff, or any constable of the county where the proceeding is pending, validating written wills heretofore pro-

bated and letters of administration heretofore granted upon citations or notices not so directed, but conforming to other requirements of said Article 3333, providing that this amendment shall not apply in certain cases; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment to the bill:

Amend the bill by striking out the following from Section 1 thereof: "which citation shall be directed to the sheriff, or any constable of the county where the proceeding is pending."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 436 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 436 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Hill	Van Zandt
Isbell	Vick
Kelley	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

Absent

Ramsey

Absent—Excused

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Chadick
Brownlee	Cotten

Fain	Metcalf
Formby	Moffett
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—1

Moore

Absent

Beck

Ramsey

Absent—Excused

Spears

House Bill 622 on Second Reading

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 622 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 622, A bill to be entitled "An Act amending Article 1115, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, so as to provide for the appointment of a board of trustees by the city council of such towns consisting of not more than five (5) members, one of whom shall always be the mayor, at any time after certain encumbrances have been created; repealing all laws or parts of laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 622 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 622 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moore
Hill	Ramsey
Isbell	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalf	Winfield
Moffett	York

Absent—Excused

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Spears

Message from the House

The Reading Clerk of the House was recognized by the President to present the following message:

Hall of the House of Representatives,
May 20, 1941,
Austin, Texas.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 151, Inviting Hon. Claude Pepper to address a joint session of the House and Senate, at his convenience.

H. C. R. No. 152, Suspending the Constitutional Rule on H. B. No. 76

[to provide that the bill shall become effective immediately].

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives

Signing of Bills and Resolution

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolution:

H. B. No. 218, A bill to be entitled "An Act to provide a hearing as to the sanity of persons who have previously been judicially declared to be of unsound mind; setting out procedure with reference thereto; and providing for venue of said cause of action; and declaring an emergency."

H. B. No. 305, A bill to be entitled "An Act amending Sections 3, 4 and 6, Chapter 21, General and Special Laws, Forty-third Legislature of Texas, Second Called Session, which amended Sections 4, 5 and 8, Chapter 241, General Laws of the Forty-third Legislature of Texas, Regular Session, providing for the reduction of promoter's license fees and bond in cities of less than twenty-five thousand (25,000) population; providing for the appointment of a referee for a single bout by a deputy boxing commissioner, and fixing the fee therefor; providing for similar appointment of seconds, timekeepers, and other local officials for no license fee; providing for a thirty (30) day boxer's license and fixing the fee therefor; and declaring an emergency."

H. B. No. 378, A bill to be entitled "An Act making appropriations to pay the Presidential Electors of Texas; providing how it shall be made; and declaring an emergency."

H. B. No. 854, A bill to be entitled "An Act authorizing independent school districts, upon the order of its trustees, with the consent of the State Superintendent of Public Instruction, to sell, exchange and convey real property, or any part thereof, belonging to said school district, and to apply any proceeds to the purchase of necessary ground or to the building or repairing of school houses, or to the credit of the available school fund of the district, and validating all sales theretofore made

by any district in substantial compliance with the provisions hereof; and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas operating under the provisions of the General Laws of Texas and having a population of more than 5,000 in the issuance and sale of bonds to aid in financing certain public improvements, etc."

H. B. No. 1015, A bill to be entitled "An Act making it unlawful to hunt, kill, or pursue any wild deer, turkey, or antelope in Collingsworth County, Texas; and declaring an emergency."

H. C. R. No. 89, Granting permission to W. D. Muncy and wife, Flora K. Muncy, to sue the State of Texas.

Senate Joint Resolution 1

The Senate resumed consideration of pending business, same being S. J. R. No. 1, relating to the allocation of tax on motor fuel, on its passage to engrossment.

Question—Shall the resolution be passed to engrossment?

Hour for Executive Session

At 11:00 o'clock a. m., Senator Martin moved that the executive session of the Senate (heretofore set for 11:00 o'clock a. m. today) be held instead at 11:10 o'clock a. m. today.

The motion prevailed unanimously.

Senate Concurrent Resolution 63

Senator Aikin, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 63, Providing that the Court of Civil Appeals for the Fourth Judicial District of Texas shall be authorized to transfer to the Attorney General's Department eighty-three (83) wooden bookcases, with bases and tops, and further authorizing the Comptroller to credit the sum of One Hundred (\$100.00) Dollars to the account of the said Court of Civil Appeals and to debit the Attorney General's Department with the sum of One Hundred (\$100.00) Dollars.

Be It Resolved by the Senate of Texas, the House of Representatives concurring:

Whereas, The Court of Civil Appeals for the Fourth Supreme Judicial District of Texas, located at San Antonio, Texas, has on hand eighty-three (83) wooden sectional bookcases, with bases and tops, for which it has no use; and

Whereas, The Attorney General's Department of the State of Texas is in need of such bookcases; and

Whereas, The sum of One Hundred (\$100.00) Dollars is a fair valuation to place upon said bookcases; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that the Court of Civil Appeals for the Fourth Supreme Judicial District of Texas, located at San Antonio, Texas, shall be authorized to transfer and deliver to the Attorney General's Department at Austin eighty-three (83) wooden sectional bookcases, with bases and tops, and the Comptroller of the State of Texas shall be authorized to credit to the account of the Court of Civil Appeals for the Fourth Supreme Judicial District of Texas the sum of One Hundred (\$100.00) Dollars and to debit the account of the Attorney General's Department with the sum of One Hundred (\$100.00) Dollars.

The resolution was read; and on motion of Senator Aikin and by unanimous consent, it was considered immediately.

The resolution was adopted.

Executive Session

At 11:10 o'clock a. m., the President announced the arrival of the hour for an executive session of the Senate, and he requested all those not entitled to attend the executive session to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

After Executive Session

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following report had been rejected by the Senate:

Committee Room,
Austin, Texas,
May 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nomination:

To be a Member of the Game, Fish and Oyster Commission, term to expire September 1, 1945:

Frank B. Harrison of Corpus Christi, Nueces County.

Have had the same under consideration, and do recommend that he be in all things confirmed.

MARTIN, Chairman.

The Secretary of the Senate further informed the Journal Clerk that the Senate had adopted the following reports:

Committee Room,
Austin, Texas,
May 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nominations:

To be Members of the Board of Directors of the Upper Guadalupe River Authority for six year terms expiring January 1, 1947, (re-appointments):

W. B. Leigh of Center Point, Kerr County;

W. A. Fawcett of Kerrville, Kerr County.

To fill the unexpired term of Dr. L. H. Webb, resigned, term to expire January 1, 1945:

W. Gillespie Stacy of Hunt, Kerr County.

Have had the same under consideration, and do recommend that they be in all things confirmed.

MARTIN, Chairman.

Committee Room,
Austin, Texas,
May 5, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom was referred the following nomination:

To be Commissioner of Labor Statistics for a term concurrent with the term of the Governor:

Captain John D. Reed of Wichita Falls, Wichita County.

Have had the same under consideration, and do recommend that he be in all things confirmed.

MARTIN, Chairman.

The President called the Senate to order as in legislative session at 11:25 o'clock a. m.

House Bill on First Reading

The following House bill, previously received from the House, was laid before the Senate, read first time and referred to the committee indicated:

H. B. No. 1039, to Committee on State Affairs.

Recess

On motion of Senator Metcalfe, the Senate, at 12:25 o'clock p. m., took recess until 10:00 o'clock a. m. tomorrow.

SIXTY-EIGHTH DAY

Continued

(Wednesday, May 21, 1941)

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

Leaves of Absence Granted

Senator Hill was granted leave of absence today on account of important business, on motion of Senator Cotten.

Senator Chadick was granted leave of absence for today on account of important business, on motion of Senator Mauritz.

House Bill 465 on Second Reading

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 465 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 465, A bill to be entitled "An Act providing that in all counties in the State of Texas having a County Court at Law for Civil or Criminal Cases the Judge of such County Court at Law shall, in all cases of disqualification, inability or absence of the County Judge, preside

in place of the County Judge in all Probate proceedings, and shall preside over the Juvenile Court and the Lunacy Court of such County; and declaring an emergency."

The bill was read second time.

Senator Spears offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 465 by Ridgeway et al. by adding the following immediately after the last word in Section 1 thereof:

"Provided, however, that this Act shall not deprive the parties interested in any case pending in the County Court to appoint a proper person to try such case in the manner provided by the Constitution of this State when the Judge of the County Court in such case is disqualified."

(2)

Amend Section 1 of H. B. No. 465 by Ridgeway et al. by striking out the words "this state" in line 2 of the enrolled bill and inserting in lieu thereof the following:

"any county having a population of less than three hundred fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census"

The (committee) amendments were adopted severally.

On motion of Senator Moore, the caption was amended to conform to the body of the bill as amended.

The bill was passed to third reading.

House Bill 465 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Cotten	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalfe